

REMARKS

1. Claims 1, 3, 9-14, 17, 19, 25-30, 33, 35, 41-46, and 49-54 are Patentable Over the Cited Art

The Examiner rejected claims 11, 3, 9-14, 17, 19, 25-30, 33, 35, 41-46, and 49-54 as obvious (35 U.S.C. §103) over McGrath (U.S. 2002/0116392). Applicants traverse for the following reasons.

Amended claims 1, 17, and 33 concern storing data in a data store and require: receiving a multimedia file including essence, metadata objects in a first file format providing information on the essence, and a unique identifier assigned to the essence; extracting the essence from the file; storing the essence in the data store; for each received metadata data object in the received multimedia file, performing: determining whether the metadata object includes a label or attribute of a label; adding a tagged element to a metadata file in a second file format corresponding to the label metadata if the metadata object includes one label; and adding a tagged attribute to the metadata file if the metadata object includes one attribute for one label, wherein the tagged attribute indicates an attribute value for one tagged element corresponding to the label for which the value is provided; and storing the metadata file in the data store.

During the phone interview, the Examiner indicated adding the requirements of the first and second file format to the claims would help distinguish over the cited art. Applicants added the first and second file format language as discussed.

The claims require adding tagged elements and attributes to a metadata file in a second file format for labels and attributes in a metadata object in a first file format included in a multimedia file also having the essence. Applicants submit that this combination of requirements is nowhere taught or suggested in the cited McGrath.

In the Response to Amendment, the Examiner noted that FIG. 3 of McGrath shows tagged elements. (Third Office Action, pg. 3) FIG. 3 is an XML file having metadata on media to provide descriptions of objects that appear in the images, such as people or places. (McGrath, pg. 3, para. [0050]-[0051]. Although the cited FIG. 3 discusses an XML file having elements and attributes providing information on media content, the cited McGrath does not teach or suggest the claim requirement that the XML file be formed as claimed. For instance, the cited

McGrath does not teach or suggest adding tagged elements and attributes to a metadata file in a second file format for label metadata in a metadata object in a first file format that is included in a multimedia file also having the essence. Although McGrath discusses an XML file having metadata on video content, there is no teaching or suggestion of the claim requirements concerning how that XML file is generated from a multimedia file having metadata objects in a different file format than the XML file.

The cited paras. [0048]-[0050] are similarly deficient with respect to these claim requirements as to how tagged elements and attributes are added to the metadata file from the metadata object in a different file format in the multimedia file also including the essence.

Cited paragraph [0048] mentions that a server responds to a search request by returning an XML file having metadata for video clips that match the search request. Cited paragraph [0049] discusses general principles of XML, such as it having tags defining an information structure. Cited paragraph [0050] discusses how the XML file has “metadata objects” elements that have information on the video and “metadata tracks” elements that provide an index to images on a clip in which the particular metadata object is associated. The cited index to the images in which an object appears allows downloading of only a subset of images in which the metadata object appears.

Although the cited McGrath discusses how metadata for video files matching a search request is transferred in an XML file, these cited paras. [0049]-[0050] do not teach or suggest generating the XML file by adding tagged elements and attributes from labels included in a metadata object in a different file format, where the metadata object was included in a multimedia file also including the essence (e.g., the video). If the Examiner maintains this rejection, Applicants request that the Examiner specifically show where the cited McGrath teaches these claim requirements concerning how the tagged elements and attributes are added to a metadata file, which corresponds to the cited XML file.

Moreover, Applicants submit McGrath teaches away from adding tagged elements and attributes to the XML file for determined labels or attributes of labels in a metadata object in a different file format in a multimedia file including the essence. McGrath notes that the cited XML file is used to interchange data between the client and the database. The metadata is stored in the databases 130. The server 110 responds to a search request by returning the XML file

containing metadata for the video clips that matches the search request. (McGrath, para. [0048], p. 3)

Applicants submit that McGrath teaches away from the claim requirement of adding tagged data to a metadata file for labels in a metadata object in a multimedia file including the essence because according to McGrath, the XML file is used to provide the client metadata on videos satisfying a search request that is in the databases130. Thus, McGrath does not generate its XML file from metadata objects in a received multimedia file including the essence (e.g., video). Instead, the information in the XML file of McGrath apparently would be derived from the databases as shown in FIG. 2. For this reason, McGrath teaches away from the claim requirement of adding tagged data to a metadata file for labels in a metadata object in a multimedia file including the essence.

McGrath further teaches away from the claim requirement of storing the metadata file in the data store including the essence because in McGrath the XML file is sent to the client and used to interchange data between the client and database. (McGrath, para. [0052], pg. 4). Nowhere does the cited McGrath teach or suggest the claim requirement of storing the XML file in the same data store in which the essence is stored.

Accordingly, Applicants submit that claims 1, 17, and 33 are patentable over the cited art because the cited McGrath does not teach or suggest the requirements of these claims.

Applicants submit that dependent claims 3, 9-14, 19, 25-30, 35, 41-46, and 49-54 are patentable over the cited art because they depend from one of claims 1, 17, and 33, which are patentable over the cited art for the reasons discussed above. Moreover, the below discussed claims provide additional grounds of patentability over the cited art.

Claims 3, 19, and 35 depend from claims 1, 17, and 33 and further require that one separate metadata file including tagged elements and attributes is generated for each received multimedia file.

The Examiner stated that since the UMID is unique, one separate metadata file is generated for each received multimedia file. (Third Office Action, pg. 5) Applicants traverse.

McGrath mentions that an “XML file containing metadata for the video clips which match a user’s search request.” (McGrath, pg. 3, para [0048]). Thus, the XML file in McGrath is provided to return metadata on search results to a client. Nowhere is there any teaching or

suggestion that the cited XML file is generated for each received multimedia file including metadata objects in a first file format and essence. Instead, the cited XML file is generated to return search results.

Accordingly, claims 3, 19, and 35 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited McGrath.

Claims 11, 27, and 43 depend from claims 1, 17, and 33 and further require: receiving a unique identifier; accessing the essence and the metadata file associated with the unique identifier; generating one reconstructed metadata object for each tagged element and attribute in the metadata file; and assembling a reconstructed multimedia file including the reconstructed metadata objects, the accessed essence, and the received unique identifier.

In response to Applicants request that the examiner cite a particular section for the requirements of these claims, the Examiner found that these claims read on the fact that the requested video including metadata objects is presented to the requestor as a result of the search request. (Third Office Action, pg. 4) Applicants traverse.

The cited McGrath discusses how an XML file is used to provide search results from the database to the client. The cited XML file includes metadata on a video. Nowhere does the cited McGrath anywhere teach or suggest assembling a reconstructed multimedia file including reconstructed metadata objects and the accessed essence, along with the received unique identifier. Instead, the cited XML file includes metadata on videos satisfying search results and does not include both metadata and the essence or video as claimed.

Accordingly, claims 11, 27, and 43 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited McGrath.

With respect to claims 12, 13, and 14, the Examiner found that these claims are obvious because they merely recite steps for reconstructing metadata objects obvious to one of skill in the art. (Third Office Action, pg. 4) Applicants traverse.

The Examiner has not cited any part of McGrath that discloses reconstructing a multimedia file including metadata objects in a first file format and essence from a metadata file in a second file format. The Examiner's finding that the claims are obvious without citing any

art to support such conclusions is improper and unsupported. If the Examiner maintains this rejection, Applicants request that the Examiner cite specific sections of McGrath that teach or suggest the claim requirements of reconstructing metadata objects from elements and attributes in a metadata file, and then adding the reconstructed metadata objects and essence to a reconstructed multimedia file.

Accordingly, claims 12, 13, and 14 (as well as corresponding system and article of manufacture claims 28-30 and 44-46) provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited McGrath.

Added claims 55-57 depend from one of independent claims 1, 17, and 33 and further require reconstructing a multimedia file including the essence stored in the data store and a metadata object in the first file format having information on the essence, wherein the metadata object is reconstructed from the metadata file having information on the essence.

The additional requirements of these claims are disclosed on at least pgs. 10-11 and FIGs. 8-9 of the Specification.

Applicants submit that these added claims are patentable over the cited art because they depend from one of claims 1, 17, and 33, which are patentable over the cited art for the reasons discussed above and because the additional requirements of these claims in combination with the base claims provide further grounds of patentability over the cited art.

CONCLUSION

For all the above reasons, Applicant submits that the pending claims 1, 3, 9-14, 17, 19, 25-30, 33, 35, 41-46, and 49-57 are patentable over the art of record. Applicants submit that no additional fees are needed. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

\\

\\

\\

\\

\\

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: May 24, 2006

By: /David Victor/

David W. Victor
Registration No. 39,867

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984